

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

PENOVIA LLC, Plaintiff, v. RICOH USA, INC., Defendant.	Case No. 2:13-cv-00425-JRG JURY TRIAL DEMANDED
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AGREED MOTION TO DISMISS WITH PREJUDICE

Pursuant to Fed. R. Civ. P. 41, Plaintiff Penovia LLC (“Penovia”) hereby moves to dismiss with prejudice Penovia’s claims against Defendant Ricoh USA, Inc., with each party to bear its own costs, expenses and attorneys’ fees.

Dated: October 14, 2013

Respectfully submitted,

/s/ Craig Tadlock

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CERTIFICATE OF CONFERENCE

I hereby certify that on October 14, 2013, I conferred by email with counsel for Defendant Ricoh USA, Inc., and counsel for Ricoh has agreed to the form and substance of this motion. Accordingly, this motion is an agreed motion.

/s/ Craig Tadlock

Craig Tadlock

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 14th day of October, 2013.

/s/ Craig Tadlock

Craig Tadlock